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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,887	12/15/2003	Jose M. Freire Teiga	JTZ-1-js-mv	5700
7590	09/28/2005			
Michael I. Kroll 171 Stillwell Lane Syosset, NY 11791			EXAMINER PRICE, CRAIG JAMES	
			ART UNIT	PAPER NUMBER
			3753	

DATE MAILED: 09/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/735,887

Applicant(s)

FREIRE TEIGA, JOSE M.

Examiner

Craig Price

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/15/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because of the use of legal phraseology. Page 39, Line 1 uses the term "comprising", which is considered as legal phraseology. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-13 are rejected under 35 U.S.C. 102 (b) as being anticipated by Henemier (US 1,137,209).

Regarding claim 1, Henemier discloses an apparatus for regulating the internal pressure of a closed system as shown in Figure 1, comprising of, a valve housing (a) connected to the closed system, an intake valve (g, m, k, j) connected to the valve housing for receiving a pressurized substance in one direction through the valve housing into the closed system, a release valve (o, p, n) connected to the valve housing for releasing excess pressure through the valve housing from the closed system, the release valve comprising of a release valve aperture (n) for releasing pressurized substance therethrough, a release valve block (o) positioned within the release valve

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aperture for selectively preventing the pressurized substance from escaping the valve housing through the release valve aperture, a release valve spring (p) connected to the release valve block, as shown in Figure 1.

Regarding claim 2, Henemier discloses the apparatus further comprising a setting nut (f) connected to the valve housing and the release valve spring (p) for selectively compressing the release valve spring for determining a desired pressure level to be maintained within the closed system as expressed by the alignment of the setting nut with graduated indicia (s) imprinted on the outside of the valve housing, as shown in Figure 1.

Regarding claim 3, Henemier discloses the apparatus, wherein the housing (a) includes graduated indicia (s) etched therein and the desired pressure level is obtained by aligning the setting nut (f) with respective indicia on the housing (col. 3, ll. 26-59).

Regarding claim 4, Henemier discloses the apparatus, wherein the setting nut (f) is adjusted in accordance with the formula $P=KX/A$, where area A and spring constant K are constants and variable setting X obtains the pressure P. The spring must react in this manner by scientific principles.

Regarding claim 5, Henemier discloses the apparatus, further comprising a retaining nut (h) for retaining the setting nut in a desired position.

Regarding claim 6, Henemier discloses the apparatus, wherein said retaining nut is threadedly attached to the valve housing, as shown in Figure 1.

Regarding claim 7, Henemier discloses the apparatus, wherein the intake valve comprises, an intake valve aperture (opening above spring m) for receiving pressurized

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substance from a source supply into the closed system, an intake valve block (k2) for preventing the escape of pressurized substance from the closed system through the intake valve aperture, an intake valve spring (m) for retaining said intake valve block in a closed position; and a source supply trigger pin (k3) for forcing said intake valve block into an open position thereby allowing pressurized substance to enter the closed system wherein the intake valve spring retains the intake valve block in a closed position.

Regarding claim 8, Henemier discloses the apparatus, wherein the intake valve aperture is threadedly covered by a cap (i), as shown in Figure 1.

Regarding claim 9, Henemier discloses the apparatus, wherein the valve housing is connected to a tire (b), as shown in Figure 1.

Regarding method claims 10-13, the device shown by Henemier will perform the methods as recited in claims 10-13, during normal operational use of the device.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wilhelm et al. (US 3,719,198), McMillion (US 1,053,623), Jaquish (US 1,139,290), Thayer (US 1,156,328), Fuller (US 3,426,787), Hagen et al. (US 1,488,813), Lapp (US 2,017,978), Lumb (US 1,467,440), Marshall (US 2,954,796), Heiden (US 3,631,886), Webb (US 3,450,147), and Cox (US 2,552,666) show similar types of tire valves.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Craig Price whose telephone number is (571) 272-2712. The examiner can normally be reached on 8AM - 5PM M-F. If attempts to reach the

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examiner by telephone are unsuccessful, the examiner's supervisor, Frederick Nicolas can be reached on (571) 272-4931. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 20, 2005

Craig Price
Examiner
Art Unit 3753



Frederick Nicolas
Primary Examiner

